

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAMES CLAYTON, a.k.a. OKI REDPAY, } NO. CV-02-5041-MWL
Plaintiff, }
-vs- } ORDER ADOPTING
JOSEPH LEHMAN, et al., } STIPULATION OF DISMISSAL
Defendants. } WITH PREJUDICE

On February 1, 2006, pro se Plaintiff James Clayton and Defendants, by and through their attorneys of record, Attorney General Rob McKenna and Assistant Attorney General Douglas Carr, agreed to the full settlement of this case. (Ct. Rec. 122). Accordingly,

IT IS ORDERED that:

1. The parties' Stipulated Motion to Dismiss, Ct. Rec. 122, is **GRANTED**.

2. The above entitled case is hereby **DISMISSED WITH PREJUDICE**.

3. Defendants shall pay to Plaintiff the sum of \$750.00, including costs, attorneys' fees, if any, and damages, in exchange for full settlement of this case.

4. No deductions will be made by the Department of Corrections [DOC] from the settlement amount, including, but not limited to, deductions under R.C.W. 72.09.480.

5. The DOC agrees that it has no present intention to transfer Plaintiff to either another DOC institution or to an institution out of state and no such transfer is presently contemplated. However, the DOC may transfer Plaintiff to another DOC institution or out of state pursuant to and consistent with existing statutory and constitutional standards.

ORDER ADOPTING STIPULATION OF
DISMISSAL WITH PREJUDICE - 1

1 6. Neither party is to be considered a prevailing party in this action.

2 The District Court Executive is directed to file this Order, provide a copies to pro se
3 Plaintiff and counsel for Defendants, and to **CLOSE** the file.

4 **DATED** this 6th day of February, 2006.

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s/ Wm. Fremming Nielsen
WM. FREMMING NIELSEN
SENIOR UNITED STATED DISTRICT JUDGE

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